



General Assembly

Substitute Bill No. 5418

February Session, 2014



**AN ACT CONCERNING FINANCIAL LIABILITY FOR THE CLEAN-UP
OF CERTAIN HAZARDOUS WASTE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-452b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, a
4 mortgagee who acquires title to real estate by virtue of a foreclosure or
5 tender of a deed in lieu of foreclosure, shall not be liable for any
6 assessment, fine or other costs imposed by the state for any spill upon
7 such real estate beyond the value of such real estate, provided such
8 spill occurred prior to the date of acquisition of title to such real estate
9 by such mortgagee.

10 (b) Notwithstanding the provisions of section 22a-451, the
11 Commissioner of Energy and Environmental Protection may enter into
12 an agreement with any person or the estate of any person, as
13 applicable, who died or sustained serious bodily injury and for which
14 the commissioner incurred expenses to contain, remove or mitigate the
15 effects of such death or serious bodily injury on any land or waters of
16 the state. Any such agreement may provide for the payment of less
17 than all: (1) Costs and expenses incurred in containing, removing or
18 mitigating such effects, and (2) legal expenses and court costs incurred

19 by the department in seeking such recovery of costs and expenses. The
 20 commissioner shall not seek the recovery of any such costs and
 21 expenses from any person or the estate of any person, as applicable,
 22 who dies or sustains serious bodily injury, on or after the effective date
 23 of this section, and for which the commissioner incurs expenses to
 24 contain, remove or mitigate the effects of such death or serious bodily
 25 injury on any land or waters of the state.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	22a-452b
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Statement of Legislative Commissioners:

", on or after the effective date of this section," was moved for clarity.

ENV *Joint Favorable Subst.*